



MEMORANDUM ENDORSED

March 9, 2022

VIA ECF

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>3/10/2022</u>

Re: *United States v. Freddy Serrano, Jr., 21 Cr. 785 (GHW)*

Dear Judge Woods:

We respectfully write pursuant to the Court's individual rules in criminal cases seeking leave to be substituted as counsel for Mr. Serrano. On or about December 16, 2021, the Court appointed the undersigned to represent Mr. Serrano pursuant to the Criminal Justice Act. Since that time, we have represented Mr. Serrano on a *pro bono* basis, including engaging in various discussions with the Government, reviewing discovery, and discussing the matter with Mr. Serrano. Unfortunately, the working relationship between counsel and Mr. Serrano has deteriorated and become strained. In the interim, Mr. Serrano has retained counsel—Mr. Luis Diaz (who is copied on this letter)—to represent him going forward. We have been in contact with Mr. Diaz, briefed him on the status of the case, and provided him with a copy of the case file.

A conference is presently scheduled for Monday, March 14, at 11:00 a.m. The Court had scheduled this as an in-person conference, but it is our understanding that Mr. Diaz respectfully requests that the conference be conducted remotely (this would, among other things, avoid having to transport Mr. Serrano to Court, which triggers various protocols at the Essex County facility where he is presently detained). We appreciate the Court's consideration of this application.

Application denied. Mr. Diaz has not yet entered a notice of appearance in this case. If Mr. Diaz has been retained in this case and is a member of the bar of this Court, he should enter a notice of appearance in the case promptly. The Court has already requested Mr. Serrano's production for the conference on March 14, 2022. The Court does not believe that it can convert the scheduled conference to a remote proceeding: advance notice is required to coordinate a hearing by remote means.


Respectfully submitted,

/s/ John T. Zach
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The Clerk of Court is directed to terminate the motion pending at Dkt. No 12.

SO ORDERED.

Dated: March 10, 2022
New York, New York


GREGORY H. WOODS
United States District Judge